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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/752,355	12/29/2000	James E. Pricer	9226	8429
26890	7590	11/30/2004		
JAMES M. STOVER NCR CORPORATION 1700 SOUTH PATTERSON BLVD, WHQ4 DAYTON, OH 45479			EXAMINER STRANGE, AARON N	
			ART UNIT 2153	PAPER NUMBER

DATE MAILED: 11/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.	Applicant(s)	
09/752,355	PRICER ET AL.	
Examiner	Art Unit	
Aaron Strange	2153	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 02 August 2004.  
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-15 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 29 December 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments, see page 5, lines 4-8, filed 8/02/2004, with respect to the rejection(s) of claim(s) 1-15 under 35 USC 102(e) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made under 35 USC 103(a) in view of Tsuchida et al. (US 6,026,394).
2. With regard to applicant's assertion that Muret's system is different from Applicant's claimed invention since Muret's system uses a "very complex, and inevitably slow sequential program" (Remarks, Page 5, Lines 11-13), the Examiner would like to note that the claims do not preclude the reference from being complex or slow. Muret meets all of the claim limitations, except for the use of parallel processing modules. The use of parallel processing modules is taught by Tsuchida, which has been cited below in the new grounds of rejection.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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4. Claims 1-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Muret et al. (US 2002/0042821) in view of Tsuchida et al. (US 6,026,394).

5. With regard to claim 1, Muret et al. disclose a method for use in tracking the actions of an Internet user, comprising: loading data from one or more transaction logs of one or more Internet servers into a database system (log engine) (Page 2, Paragraph 51, Lines 1-2), where the data includes an entry for each request to the Internet server (Page 2, Paragraph 51, Lines 4-6), including information identifying the which user submitted the request (Page 4, Paragraph 71, Lines 7-10) and information identifying the time at which the request was received (Page 3, Paragraph 55, Lines 1-5); and selecting from the data all entries associated with a particular user and corresponding to a single session of that user (Page 4, Paragraph 71). Muret et al. fails to disclose that the database system comprises plural parallel processing modules or executing a database query across the plural parallel processing modules to select the entries from the data.

Tsuchida et al. teach the use of plural parallel processing modules as a means to decrease the time required to search a database (Col 2, Lines 54-58). Tsuchida discloses a plurality of parallel processing modules including distribution nodes, join nodes, and decision management nodes (Col 2, Line 59 to Col 3, Line 18). These nodes distribute the workload related to the query process, and work on it in parallel to achieve a result faster.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use plural parallel processing modules in the database

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system to select the entries for a particular user from the data. This would have been advantageous since it would have greatly sped up the process of sorting through the data to select the desired entries.

6. With regard to claim 2, Muret et al. further disclose that the step of selecting includes selecting entries with time stamps lying in a predetermined range (Page 4, Paragraph 71, Lines 10-13).

7. With regard to claim 3, Muret et al. further disclose that the step of selecting includes comparing time stamps of entries and selecting each entry for which the time stamp differs from the time stamp of another entry by less than a predetermined amount (Page 4, Paragraph 71, Lines 10-13).

8. With regard to claim 4, Muret et al. further disclose that the step of selecting includes selecting each entry for which the time stamp differs from the time stamp of another entry by less than 30 minutes (Page 4, Paragraph 71, Lines 10-13).

9. With regard to claim 5, Muret et al. further disclose sorting the selected entries chronologically to reconstruct the user's clickstream (Page 4, Paragraph 72, Lines 4-5).

10. With regard to claim 6, Muret et al. disclose a computer program for use in tracking the actions of an Internet user, the program comprising executable instructions

that cause one or more computers to: load data from one or more transaction logs of one or more Internet servers into a database system (log engine) (Page 2, Paragraph 51, Lines 1-2), where the data includes an entry for each request to the Internet server (Page 2, Paragraph 51, Lines 4-6), including information identifying the which user submitted the request (Page 4, Paragraph 71, Lines 7-10) and information identifying the time at which the request was received (Page 3, Paragraph 55, Lines 1-5); and select all entries associated with a particular user and corresponding to a single session of that user (Page 4, Paragraph 71). Muret et al. fails to disclose that the database system comprises plural parallel processing modules or executing a database query across the plural parallel processing modules to select the entries from the data.

Tsuchida et al. teach the use of plural parallel processing modules as a means to decrease the time required to search a database (Col 2, Lines 54-58). Tsuchida discloses a plurality of parallel processing modules including distribution nodes, join nodes, and decision management nodes (Col 2, Line 59 to Col 3, Line 18). These nodes distribute the workload related to the query process, and work on it in parallel to achieve a result faster.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use plural parallel processing modules in the database system to select the entries for a particular user from the data. This would have been advantageous since it would have greatly sped up the process of sorting through the data to select the desired entries.

11. With regard to claim 7, Muret et al. further disclose that, in selecting entries, the computer selects entries with time stamps lying in a predetermined range (Page 4, Paragraph 71, Lines 10-13).
12. With regard to claim 8, Muret et al. further disclose that, in selecting entries, the computer compares time stamps of entries and selects each entry for which the time stamp differs from the time stamp of another entry by less than a predetermined amount (Page 4, Paragraph 71, Lines 10-13).
13. With regard to claim 9, Muret et al. further disclose that, in selecting entries, the computer selects each entry for which the time stamp differs from the time stamp of another entry by less than 30 minutes (Page 4, Paragraph 71, Lines 10-13).
14. With regard to claim 10, Muret et al. further disclose that the computer sorts the selected entries chronologically to reconstruct the user's clickstream (Page 4, Paragraph 72, Lines 4-5).
15. With regard to claim 11, Muret et al. disclose a database system comprising: one or more data-storage facilities (database) (Fig 1, 300) for use in storing data received from one or more transaction logs of one or more Internet server computers (Page 1, Paragraph 51), where the data includes an entry for each request to the Internet server computers (Page 2, Paragraph 51, Lines 4-6), including information identifying the

which user submitted the request (Page 4, Paragraph 71, Lines 7-10) and information identifying the time at which the request was received (Page 3, Paragraph 55, Lines 1-5); and one or more processing modules configured to manage the data stored in the data storage facilities (log engine) (page 3, Paragraph 57); and a database-management component configured to select from the data all entries associated with a particular user and corresponding to a single session of that user (Page 4, Paragraph 71). Muret et al. fails to disclose that the database system comprises plural parallel processing modules or executing a database query across the plural parallel processing modules to select the entries from the data.

Tsuchida et al. teach the use of plural parallel processing modules as a means to decrease the time required to search a database (Col 2, Lines 54-58). Tsuchida discloses a plurality of parallel processing modules including distribution nodes, join nodes, and decision management nodes (Col 2, Line 59 to Col 3, Line 18). These nodes distribute the workload related to the query process, and work on it in parallel to achieve a result faster.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use plural parallel processing modules in the database system to select the entries for a particular user from the data. This would have been advantageous since it would have greatly sped up the process of sorting through the data to select the desired entries.



16. With regard to claim 12, Muret et al. further disclose that the database-management component is configured to select entries with time stamps lying in a predetermined range (Page 4, Paragraph 71, Lines 10-13).

17. With regard to claim 13, Muret et al. further disclose that the database-management component is configured to compare time stamps of entries and select each entry for which the time stamp differs from the time stamp of another entry by less than a predetermined amount (Page 4, Paragraph 71, Lines 10-13).

18. With regard to claim 14, Muret et al. further disclose that the database-management component is configured to select each entry for which the time stamp differs from the time stamp of another entry by less than 30 minutes (Page 4, Paragraph 71, Lines 10-13).

19. With regard to claim 15, Muret et al. further disclose that the database-management component is configured to sort the selected entries chronologically to reconstruct the user's clickstream (Page 4, Paragraph 72, Lines 4-5).

### ***Conclusion***

20. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

21. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

22. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aaron Strange whose telephone number is 571-272-3959. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glen Burgess can be reached on 571-272-3949. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ANS  
11/5/2004



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